

### **Remarks**

This is in response to the post-RCE non-final rejection dated July 27, 2010. Claims 21-24 now pending with this amendment. Claim 24 has been newly added within the initial disclosure of the instant application.

#### **Claim Rejections under 35 U.S.C. §112**

The examiner has rejected claims 22-23 as being indefinite for failing to particularly point out and distinctly claim the subject matter, citing dependencies of claims 22 and 23 from a canceled claim. In response, Applicant has corrected respective dependencies of claims 22 and 23.

#### **Disclosure Obligation under 35 C.F.R. §1.56**

The examiner has raised joint inventors' issue. As disclosed in the signed oath of the instant application, Applicant submits that the instant application claims a single inventor.

#### **Claim Rejections under 35 U.S.C. §103**

The examiner has rejected all pending claims 21-23 as being unpatentable over **Warren** (US4,161,548 in view of **Chikako** (JP 61-141864), **Hansen** (USP 2316861), and CFR Title 21 Part 110 (FDA, Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food).

In response, Applicant has further limited the claim scope within the initial disclosure of the instant application. Claim 24 is newly added within the initial disclosure. Applicant submits the combined feature of ozone sterilization, optimal albumen thickness and specific pressure exerted for the shell puncture has been developed and secured to overcome the disadvantages of the prior art.

Applicant respectfully submits claims 21-24 are not obvious over the cited references, and one or more or any combination of the cited references does not teach or suggest all the inventive features of the present invention.

#### **Conclusion**

In view of the amendments and remarks made above, it is respectfully submitted that claims 21-24 are in condition for allowance, and such action is respectfully solicited, if required,

under *the Examiner's Amendment*. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,

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